

**Transportation Commission of Colorado**  
**September 16, 2010**

**Resolution #TC-1905**

Transfer of the State interest in the SB-1 buses

WHEREAS, Pursuant to 43-4-206(VII)(2)(a)(I) CRS, the Department received approval and funding for implementation of Senate Bill 97-001 Strategic Transit Project Funds from the Colorado Legislature and its Joint Budget Committee; and

WHEREAS, the Transportation Commission of Colorado solicited and reviewed project applications in accordance with established program criteria and determined which entities' projects would be most appropriate for funding; and

WHEREAS, the Commission approved a list of strategic transit projects by Resolution Number TC-1455; and

WHEREAS, the North Front Range Metropolitan Planning Organization (NFRMPO) submitted a funding application to carry out a strategic transit project, hereinafter referred to as the Project, and that Project was included on the list of strategic projects approved by the Commission; and

WHEREAS, Senate Bill 97-001 funds were provided to the NFRMPO for the Project by the State by means of IGA 08-HTD-00031, which provided funds for the purchase of three (3) body-on-chassis buses for use on a fixed route public transportation service between Greeley and Loveland; and

WHEREAS, the State provided 70% of the funding (the State Share) for the purchase of the buses and the NFRMPO provided the remaining 30% (the Local Share); and

WHEREAS, the State has specified that each party retains its proportional interest in the value of those three (3) buses for the useful life of the equipment based on a straight-line depreciation methodology; and

WHEREAS, the NFRMPO has informed the Department that the NFRMPO has terminated the fixed route bus service between Greeley and Loveland due to poor ridership; and

WHEREAS, the IGA between the Department and the NFRMPO indicates the buses were to be used only for the specified strategic project; and

WHEREAS, the Department has informed the NFRMPO that it will transfer the Department's State Share interest in the buses to another qualified organization and that said organization will be required to reimburse the NFRMPO the prorated Local Share based on a straight-line depreciation methodology; and

WHEREAS, the Department has announced the availability of the three buses to transit operators throughout the state and informed those operators of the process for requesting transfer of one or more of the buses as well as the Department's selection process; and

WHEREAS, Department staff has received application requests for transfer of the State interest in the buses and has evaluated the requests in terms of their proposed usage of the buses, the age and mileage of any vehicle to be replaced, the type of service to be provided with the bus(es), and the financial sustainability of the service to be provided with the bus(es); and

WHEREAS, the Transportation Commission's Transit and Intermodal Committee has reviewed the applications and the staff's recommendations and is recommending the transfer of the three buses;

NOW THEREFORE BE IT RESOLVED, staff is hereby directed to take action to transfer the three buses as follows:

- A. The State Share interest in the three buses shall be transferred to the City of Fort Collins for deployment in the City's Transfort fleet in regular fixed route service on low ridership routes during night service near the Colorado State University and on Saturday regular service, as set forth in its application for transfer of the buses dated August 31, 2010.
- B. The Department shall develop an IGA with the City of Fort Collins. No transfer shall occur until an IGA is fully executed by both parties. Such IGA will require the payment by the organization to the NFRMPO its prorated Local Share interest.